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## EXECUTIVE SUMMARY

This report to the Political Subdivisions Interim Committee is being made as required in The Quality Growth Act of 1999 (HB119). Pursuant to the Act, the Utah Quality Growth Commission was established in May of 1999. Since its inception, the Commission has engaged in six major statewide initiatives to fulfill the duties imposed by the Legislature through the Act. The Commission's duties can be summarized in three broad categories:

1. Draft the principles of quality growth, after receiving input from local governments and the public.
2. Recommend to the Legislature how to best implement those principles.
3. Administer the LeRay McAllister Critical Land Conservation Fund.

The Commission addressed the first task by reserving judgment on quality growth principles and allowing themselves to learn about growth issues from the several programs and projects they sponsored. These projects are still in progress and the results will require in-depth analysis before the Commission can fulfil the second task of making recommendations to the Legislature. The third task is well underway and preliminary allocations of funds have been made, pending final review and award by the Commission.

The six statewide programs initiated by the Commission are:

1. Planning Grants: \$194,000 was granted to 21 communities statewide to help fund their own efforts in determining local principles of quality growth.
2. Land Preservation: The Commission has made a preliminary allocation of over \$2 million from the LeRay McAllister Critical Land Conservation Fund for the preservation of 5,708 acres of agricultural land and 341 acres of open space.
3. Local Government Survey: In conjunction with the Utah Association of Counties and the Utah League of Cities and Towns, the Commission surveyed local governments throughout the State regarding growth issues.
4. Ad Hoc Committees: The Commission established five committees, consisting of Commission members and outside experts, to analyze research on growth issues related to Critical Land Conservation, Free Market, Housing, Infrastructure, and Intergovernmental Relations.
5. Outreach Program: The Commission is in the process of visiting every county to conduct focus group discussions with elected officials, tour the county, and hold "town meetings" on growth related issues.
6. Research: The Commission receives reports from research conducted by staff and a variety of interest groups on growth issues.

The Commission allocated their \$250,000 legislative appropriation on the above activities as follows: 81% for local government grants (78% has been awarded), 8% to the local government survey, 3% to support the Outreach Program, 7.5% for administration and the remainder for contingencies.

The Commission received nearly \$4.5 million in requests for grants from the LeRay McAllister Critical Land Conservation Fund. This was far in excess of the \$3.3 million available. The Commission has given preliminary allocation of funding for a little over \$2 million in grants, subject to final review and approval.

The legislative intent language of the Act states the Commission shall “formulate quality growth principles.” To date, the input from the Commission’s initiatives listed above is still being collected, compiled, and assimilated, so that the Commission can fully understand the depth, breadth, and complexity of Utah’s growth management issues. The Commission thinks that suggesting quality growth principles in this report would be premature. The Commission expects to present its recommendations for Utah’s principles of quality growth for the Legislature to consider during the 2000 General Session.

Once the principles of quality growth have been determined, additional work will need to be done to develop recommendations for the implementation of the principles. Although the Commission has begun preliminary work on this, the year 2000 will be spent analyzing, in extensive detail, an array of potential techniques, policies, and incentives to implement these principles. The Commission, with the approval of the Legislature and the Governor, would like to continue its valuable work. This work can be greatly assisted through grants to local governments, as was done this year.

It is evident that the need for critical land conservation funds far exceeds the amount available and the Commission would like to see a new appropriation for the Fund. In addition, the Commission would like to ask the Legislature to clarify an apparent conflict in existing law regarding land or conservation easements purchased with state funds.

In conclusion, the Commission submits following recommendations:

- ★ Pass legislation during the 2000 General Session to establish the principles of quality growth.
- ★ Extend the time for the Commission to make recommendations for implementation of the principles of quality growth and other matters in the legislative intent language of the Act to November of 2000.
- ★ Appropriate money for the continuation of the planning grant program in Fiscal Year 2001.
- ★ Appropriate additional money to the LeRay McAllister Critical Land Conservation Fund in Fiscal Year 2001.
- ★ Clarify the conflict in existing legislation regarding the entities that may hold a conservation easement purchased with state funds.

## INTRODUCTION

### Purpose of This Report

This report to the Political Subdivisions Interim Committee is required in The Quality Growth Act of 1999 (HB119), Section 17(2), which states:

“... the Quality Growth Commission, established in Section 11-38-201, shall: ... (h) report to the Political Subdivisions Interim Committee of the Legislature by November 30, 1999, on the commission's proposals and recommendations under Subsections (2)(a), (b), (c), (d), (e), (f), and (g).”

The cited subsections (as paraphrased) instruct the Quality Growth Commission to do the following:

- (a) Formulate quality growth principles;
- (b) Develop proposals for legislation to implement quality growth principles;
- (c) Recommend state funding sources for which quality growth areas could be given priority;
- (d) Develop criteria to prioritize distributions from the LeRay McAllister Critical Land Conservation Fund;
- (e) Recommend whether the 20 acre limitation on purchases of land with money from the Fund should be adjusted;
- (f) Recommend how to tie state funding to the establishment of quality growth areas; and
- (g) Recommend whether the LeRay McAllister Critical Land Conservation Fund should be expanded to include expenditures in quality growth areas to implement quality growth principles.

This report will describe to the Political Subdivisions Interim Committee that the Quality Growth Commission is in the process of carrying out its assigned duties and responsibilities, and is gathering information to formulate quality growth principles. At this time, the Commission is not prepared to make final recommendations on what the quality growth principles should be, nor how to implement them. That work is continuing and the Commission will make recommendations for quality growth principles by the 2000 General Session. Specific recommendations to assist with the duties the Commission has undertaken are presented in the final section of this report.

### The Quality Growth Act of 1999

The Quality Growth Act was passed to address specific growth related issues endemic to Utah. These issues include: rapid population growth; the increasing costs of providing infrastructure and services; the disappearance of farm land and open space; and the lack of affordable housing. A summary of the Act is in Appendix A. The Act establishes the Quality Growth Commission to:

***“The Quality Growth Act of 1999, a clear policy statement that we will preserve open space, reject sprawl and value housing for our families as a high priority.”***

Governor Michael O. Leavitt  
1999 State of the State Address  
January 18, 1999

- Advise the Legislature on growth and growth management issues;
- Recommend to the Legislature the principles of quality growth after receiving input from local governments and the public;
- Assist local governments in their efforts to determine locally appropriate quality growth principles (\$250,000 was appropriated in 1999 for this purpose)
- Recommend to the Legislature how to implement the principles of quality growth;
- Administer the LeRay McAllister Critical Land Conservation Fund and;
- Report to the Political Subdivisions Interim Committee by November 30, 1999

## **The Quality Growth Commission**

The Quality Growth Commission was established by Section 11-38-201 of the Quality Growth Act. The Commission consists of thirteen members who represent specific interests and are appointed by the Governor with the advice and consent of the Senate. The chair and vice-chair are elected by the Commission membership. The Commission members and their area of representation are:

| <u>Name</u>             | <u>Position/Company</u> | <u>Representing</u>                        |
|-------------------------|-------------------------|--|
| Lewis Billings, Chair   | Mayor                   | Provo City                                 |
| David Allen, Vice-Chair | Ensign Group            | Private/nonprofit & agricultural community |
| Lee Allen               | Commissioner            | Box Elder County                           |
| Dee Allsop              | Wirthlin Worldwide      | Private/nonprofit sector                   |
| Carlton Christensen     | Councilmember           | Salt Lake City                             |
| Kathleen Clarke         | Executive Director      | Utah Department of Natural Resources       |
| Gary Herbert            | Commissioner Vice       | Utah County                                |
| Leland J. Hogan         | President               | Utah Farm Bureau                           |
| Shauna Kerr             | Councilmember           | Park City                                  |
| Dan Lofgren             | Prowswood               | Homebuilding Industry                      |
| Carol Page              | Commissioner            | Davis County                               |
| Cary Peterson           | Commissioner            | Utah Department of Agriculture and Food    |
| Max D. Thompson         | Mansell & Associates    | Real Estate Industry                       |

## **Staff**

The Governor's Office of Planning and Budget serves as staff to the Commission. Additional staff support is provided by the Utah Association of Counties and the Utah League of Cities. The Act specifically provides that GOPB may contract with these other organizations. Funding for the Commission's activities, including planning grants for local governments, was provided through a \$250,000 appropriation. The Commission budgeted the appropriation as follows: 81% for local government grants, 8% to the local government survey, 3% to support the Outreach Program, 7.5% for administration and the remainder for contingencies. The budget is shown in Appendix G.

In addition, the Commission may charge the costs of administration of the LeRay McAllister Critical Land Conservation Fund to the Fund. To date, no charges have been made.

## PLANNING GRANTS TO LOCAL GOVERNMENTS

### Intent

Among the Commission's duties is a requirement, under Section 11-38-202 of the Act, which states that:

The commission shall ... assist as many local entities as possible, at their request, to identify principles of growth that the local entity may consider implementing to help achieve the highest possible quality growth for that entity ...

The subsequent section states that the Commission may provide assistance to local entities to support their efforts in identifying local principles of quality growth. Funding under this Section can be used for any of the following three purposes:

Section 11-38-203 (1)(a) allows funds to be used to conduct workshops and/or public hearings to obtain public input on the principles of quality growth for that entity.



The Legislature appropriated \$250,000 to provide assistance for local entities that support efforts to identify local principles of quality growth.

Section 11-38-203 (1)(b) allows local entities to identify where and how quality growth areas could be established within that entity.

Section 11-38-203 (1)(c) allows local entities to implement their previously identified quality growth principles and establish quality growth areas.

The Legislature appropriated \$250,000 to the Commission and the coinciding grant programs offered by the Commission are known as Parts A, B, and C.

### Program Description and Activity

The Commission began by allocating a portion of the money appropriated by the Legislature to Part A only. The Commission sought to concentrate on understanding the quality growth principles developed by local governments. Part A funding allowed local governments to directly ask their residents how they define quality growth. This information is to be transcribed and summarized into reports then submitted to the Quality Growth Commission. In subsequent rounds, the Commission also allocated money for Part B. These grants will give the Commission valuable information on how local governments are defining, delineating, and establishing quality growth areas.

Part A and Part B funding require a report to be submitted to the Commission. The Commission is currently collecting and analyzing the information from Part A and B grantees.

Part C funding was intentionally not distributed by the Commission because it would have been premature. A conscientious effort to understand local government's interpretation of quality growth and their definition of quality growth areas took precedence at this stage of the Commission's work.

The Commission developed criteria and published Requests For Proposals in four rounds of funding. The RFPs were designed jointly by the Commission's staff, the Utah Association of Counties, and the Utah League of Cities and Towns. Two separate RFPs, one for Part A and one for Part B, were written, approved by the Commission, and distributed on several occasions by first class mail to every county, city, and town in Utah. The RFPs could also be accessed and downloaded from the Commission's web site at [www.governor.state.ut.us/planning/quality.htm](http://www.governor.state.ut.us/planning/quality.htm).

Grant awards were made based on the applicants' demonstration of adherence to the criteria and ability to produce results for use by the Commission. A total of 25 applications were received by the Commission and 21 applicants received funding for 22 projects – 6 under Part B and 16 under Part A. The distribution of the projects covered nearly every region of the State. Projects are being conducted from towns of 300 people to Utah's largest city, from a rural county with 97% public land to highly urbanized Wasatch Front communities. Approximately 65% of the State's population lives on the Wasatch Front and, coincidentally, approximately 68% of the projects were located along the Wasatch Front. Appendix C contains a list of awarded projects and a brief description of each.

Every applicant is required to complete and submit a final report to the Quality Growth Commission by a specified date. The reports are required to contain the same issues the Legislature required the Commission to consider when recommending quality growth principles. Those issues are listed in Section 17 (5) (a) - (p) of the Act:

These reporting requirements exemplify how the Commission is using the intention of the Act to guide many of its decisions. To date, almost half of the applicants have submitted reports. The Commission is waiting for the others to submit their reports which are due by December 1, 1999.

The public input received can be characterized as enlightening, community-specific, and rich in detail due to the variety of methods used to gather this input. To date, the input is still being collected, compiled, and assimilated so that the Commission can fully understand the depth, breadth, and complexity of Utah's growth management issues.

### **Future Planning Grants**

The Commission intends to continue to work through local communities to develop the principles of quality growth and, subsequently to determine how to implement quality growth and establish quality growth areas according to the intent of the Act. The Commission will utilize the remaining \$10,000 from this year's appropriation and request an additional appropriation for next year.



## QUALITY GROWTH OUTREACH PROGRAM

### Intent and Program Description

The Outreach Program is the Quality Growth Commission's effort to visit with and listen to every local government in Utah on their issues concerning growth. The Commission believes that listening to and learning from local government is critical before any recommendations can be made. The Commission unanimously agreed to assign each of its 13 members to visit two or three counties.

A letter was sent from the Governor to each County Commission inviting them to participate in the outreach program. Each member of the Quality Growth Commission then directly contacted their assigned counties to arrange a time and place for focus groups and "town meetings." Typically, the day long county visit includes a lunch with local elected officials from both cities and counties as well as other individuals or groups who have an interest in growth issues. After lunch, the Commissioner tours the county to see examples of both high quality growth and growth related problems. That evening, at approximately 7:00 p.m., the Commission would hold a public meeting.



Local entities conduct workshops and/or public hearings to obtain input on the principles of quality growth.

County public meetings are facilitated by a professional planner who directs the audience to concentrate on five specific areas of growth: critical land conservation; free market and public sector solutions; housing; infrastructure; and intergovernmental relations. These five categories cover the 16 specific issues listed by the Legislature in the Act under Section 17 (5)(a)-(p). The comments and concerns from everyone are recorded and filed by county under each of the five categories.

During the meeting, the public is also asked to complete a survey on draft principles of quality growth. In the survey, twenty-three draft principles are listed and the respondent is asked to rate them between strongly disagree to strongly agree. They are also invited to submit their own ideas for quality growth principles.

All 29 counties are expected to be visited before the end of 1999. To date, nearly 50% of the counties have been visited. The results of these meetings and surveys will be compiled and analyzed. A schedule of county visits is listed in [Appendix F](#) with the visiting Commissioner and staff.



## LERAY MCALLISTER CRITICAL LAND CONSERVATION FUND

### Background

One of the primary responsibilities of the Quality Growth Commission is to administer the LeRay McAllister Critical Land Conservation Fund (the Fund). With a goal of preserving and restoring critical open lands and agricultural lands in Utah, the Commission is authorized to grant or loan fund money based on the requirements and criteria established in the Quality Growth Act of 1999.

The Fund was originally established in 1998 to make loans and was administered by the Critical Land Conservation Committee. It received an original appropriation of \$100,000 to which an \$80,000 donation was added by the State Division of Parks and Recreation. Upon passage of the Quality Growth Act of 1999, the Legislature transferred administration duties to the Quality Growth Commission and appropriated an additional \$2.75 million to the Fund. A \$302,000 refund from Utah Power was added to the Fund and interest has accrued for a present total of \$3.3 million.



The Legislature appropriated \$3.2 Million for the LeRay McAllister Critical Land Conservation Fund

### Program Description and Activity

The Quality Growth Act established the following criteria that the Quality Growth Commission must consider when reviewing applications:

- If the assistance is in the form of a loan, the ability of the borrower to repay the loan.
- The nature and amount of open land/agricultural land proposed to be preserved or restored.
- The qualities of the open land/agricultural land proposed to be preserved or restored
- The cost effectiveness of the project to preserve or restore open land or agricultural land.
- The amount of funds available.
- The number of actual and potential applications for financial assistance and the amount of money sought by those applications.
- The open land preservation plan of the local entity (county, city or town) where the project is located and the priority placed on the project by that local entity
- The effects of the project on affordable housing and housing diversity.
- Whether the project protects against the loss of private property ownership.

To ensure that the criteria for applications promote quality projects that meet the legislative intent of the Quality Growth Act, the Commission created the Critical Land Conservation subcommittee. The subcommittee consists of persons from the Quality Growth Commission, nonprofit organizations, the

banking industry, the farm community, and planning profession who have expertise in the practice of land preservation.

The subcommittee drafted, and presented Fund criteria and priorities, based upon the criteria established in the Act, to the Commission for approval. Upon gaining approval for the criteria, a Request for Proposals with a deadline of October 15, 1999 was sent to eligible Utah government entities and organizations that may have an interest in applying for Fund money.

The Commission received 13 applications requesting a total of \$4.5 million in grants. The subcommittee reviewed the applications based upon the criteria, and made its recommendations to the Quality Growth Commission at its November 10, 1999 meeting.

Based on the recommendations of the subcommittee and further discussions, the Commission made preliminary allocation of funds for over \$2 million in grants to assist with the preservation of 5,708 acres of agricultural land and 341 acres of open space. Applicants will be matching the Commission's grants with over \$10.5 million for total project costs of over \$13 million. Some projects include additional acreage, not directly funded by the Commission, for a total of over 8,000 acres to be preserved.

The final review and approval by the Commission and actual award of funds is subject to further work by the applicants and staff to perfect the necessary documentation for the conservation easements and/or purchases of land. A list of applications and results is in Appendix E. Unsuccessful applicants who have projects that are potentially eligible are encouraged to correct the deficiencies and reapply.

### **Future Funding**

To secure a permanent source of funding for the Fund, Governor Leavitt signed an executive order creating the State Building Energy Efficiency Program, which requires state agencies to implement energy efficient technologies into state owned buildings. The subsequent savings will be split between the agencies themselves and the Fund. Highlights of the program include:

- Critical Land Preservation is funded through savings not taxes or budget cuts.
- State agencies keep 50% of net savings achieved by implementing energy efficiency measures, with the remaining 50% added to the Critical Land Conservation Fund.
- The Program can be implemented using existing state personnel and resources with little additional costs to the state.
- Performance-based program whose objectives are measurable.

Actual savings from this program are not expected to be realized and made available to the Fund until the 2001 General Session. After that, the actual amount of savings will gradually grow.

The Commission has seen that the need for assistance to preserve critical lands far exceeds the funds available. There will probably be a trend toward an increasing need. The Commission will ask the Legislature for an additional appropriation for the Fund in Fiscal Year 2001.

### **AD HOC COMMITTEES**

## **Purpose**

While learning about growth issues, the Commission also had to determine how to organize the work that would be required to complete its legislative charge. The Commission decided to focus first on gathering information to formulate “quality growth principles” based on the factors identified in the Act.

To formulate “quality growth principles” the legislature asked the Commission to consider 16 issues which are identified in Section 17 (5) of the Act. See Appendix B. The Commission has organized these issues into five topic areas as follows:

- Critical Land Conservation
- Intergovernmental Relations
- Housing
- Infrastructure
- Free Market

The Commission determined that the best way to study and make recommendations on all of these issues was to divide the work. An ad hoc committee was appointed for each of the five topics. The purpose of the ad hoc committees is to review and synthesize the available information and to make proposals to the Commission for draft recommendations for quality growth principles on these topics. The ad hoc committees consist of Commission members, representatives from appropriate organizations and individuals with technical expertise. Their existence is temporary, except for the Critical Land Conservation Subcommittee which was previously established for other purposes as described in the preceding section of this report. The membership of the ad hoc committees and the division of the 16 issues among the committees are shown in the Appendix. D.

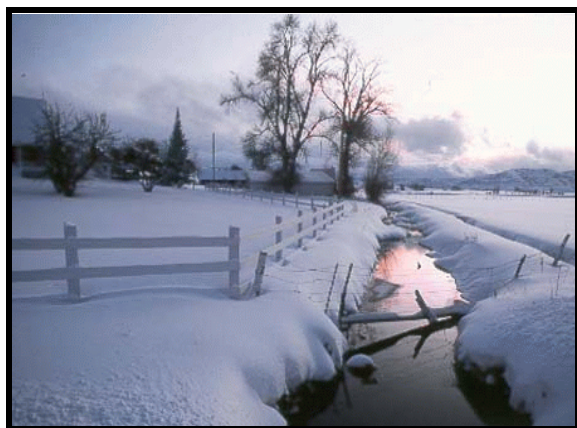
The ad hoc committees work with staff and add to the research already being conducted on growth issues. The committees will further review and analyze information presented to the Commission by various interested groups and individuals. The committees will assure that research summaries and draft principles are comprehensive, concise and balanced when presented to the Commission. The Commission will review the draft principles, make changes and resolve any inconsistencies. The Commission will also integrate the work of the committees with the results from its other initiatives, the outreach and planning grant programs.

A statement about each committee’s work to date follows.

### **Critical Land Conservation**

This subcommittee that was established to assist the Commission with the LeRay McAllister Critical Land Conservation Fund was asked to work on the quality growth principles for this topic. The subcommittee has agreed that it is important to preserve and restore open/agricultural lands. However, they have not agreed upon a concrete method of implementation, including the determination of which lands to preserve.

Several meetings have been devoted to the topic of how to implement the policy of no net decrease in the quantity or value of private real property available to generate property tax revenues, while recognizing that at times some additional public land will be needed and at other times public land that is not critical can be sold, exchanged, or converted to private ownership to accommodate growth and development. Currently, subcommittee members are divided on how the term applies to the use of conservation easements purchased with the Fund. However, they do agree that, if the local taxing authorities consent to said easement and no change in taxing status occurs, the no net loss discussion does not need to occur.



It is important to identify and preserve Utah's most important critical lands.

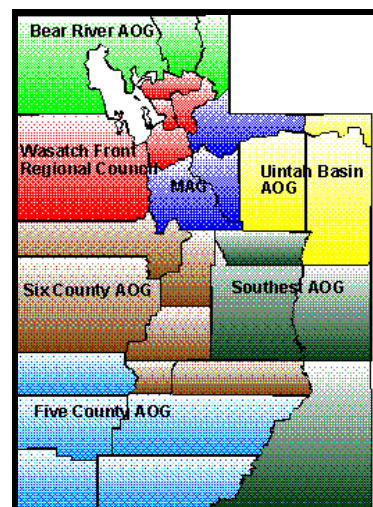
A number of potential solutions to this debate are under consideration by the subcommittee. The subcommittee will be meeting over the next few months to attempt to reach conclusions on the “no net loss of private land” issue. The subcommittee will then make recommendations to the Commission for its recommendations to the Legislature.

In addition, the subcommittee found an apparent conflict in existing law regarding land or conservation easements purchased with state funds. According to the Quality Growth Act, only a governmental entity may hold an interest in land purchased with money from the Fund. In a general appropriation to the Department of Agriculture and Food, legislative intent language states that grants will be made to charitable organizations for the purchase of conservation easements to protect agricultural land. The subcommittee recommends that this issue be resolved in a manner that allows the land owner who wishes to sell property or an easement to choose the purchaser.

## Intergovernmental Relations

The Ad Hoc Committee discussed the possibility of including regional entities into the mix of local control and state leadership. The Associations of Governments (AOGs) provide an existing structure that could carry out coordination duties to further state goals. Since the AOG boards are made up of local officials, this would alleviate concerns of “top-down” planning. These organizations are designed to aid local government entities in their efforts to address planning issues and are well suited to address the needs and wishes of the various communities they serve.

The Commission should consider including a requirement for “concurrency.” Concurrency is the legal requirement that a local government may not issue a development order unless the order will not degrade mandated service levels for specific public facilities such as roads, sewer, water, schools and recreation facilities. However,



Utah Associations of Government aid intergovernmental efforts.



concurrency should be implemented in a manner that does not create legal problems. In some cases, concurrency requirements have become a tool for those wishing to block growth.

The committee is also looking at barriers to quality growth. The committee recommends that new legislation be drafted to alter the State's current annexation laws. The current law has taken away the opportunity to plan from local governments.

## **Housing**

The committee reached consensus on the three quality growth issues related to housing that are identified in the Act with some minor wording changes and clarifications. In addition, the committee has suggested a fourth principle.



Assure that affordable housing is part of community plans for economic development, so that there is an opportunity for people who work in the community to live there.

The committee also recommends that the Commission give further study to the implementation of the principles. Some issues that need to be studied are: how to encourage inter-local planning and cooperation on a regional level, how to set targets for the appropriate mix of housing, and to identify potential sources of funding from the State for local incentives.

## **Infrastructure**

The committee has reviewed the three growth issues related to infrastructure development and made recommendations on their status as quality growth principles. The committee would like to look at the possibility of other growth issues being included as principles of quality growth. For example, repair and replacement costs budgeted in a capital facilities plan is a quality growth principle suggested by this committee. Consequently, the committee would like to see a repair and replacement budget required for state infrastructure funding.

The committee has spent its time reviewing water and sewage infrastructure, since they play such a key role in new development. The committee will also look at streets and other utilities. The committee has also looked at the potential role of in-fill and brown field development for quality growth.

The committee has reviewed the three growth



Brownfield development in Salt Lake City

## **Free Market**

The Committee is considering a variety of quality growth/market issues. The first is water development. The opportunity presently exists to impact water policy in the State, including allocation decisions. The discussion must focus within the context of present realities. Utah's growing economy and population will require sufficient water. The State has already developed the least costly sources of water and the federal government will not pay for water development as they have in the past. These, as well as the many planning activities currently underway, compel policy makers in the State to draw from sound economic principles as they make water development decisions.

## LOCAL GOVERNMENT SURVEYS

The Utah League of Cities & Towns and the Utah Association of Counties are taking an active role in working with the Quality Growth Commission to ensure local governments are not left out in the process of addressing growth in the State. In their effort to give input to the Quality Growth Commission, the League and UAC drew up surveys to collect information on how cities and counties currently handle growth.

### Cities & Towns Survey

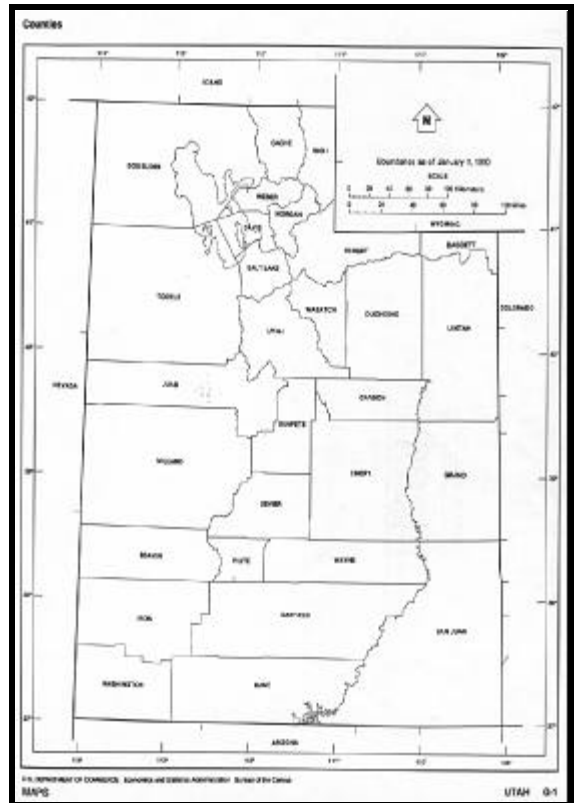
The Cities & Towns Survey was sent to city planners, managers, and recorders of ninety-three cities & towns around the State. It contained questions regarding current planning and growth conditions for each municipality. Forty percent of the municipalities have responded thus far, and are summarized in the “Update: Cities & Towns Survey”. This is a report of the preliminary results of the survey. Final results of the survey will be available after the first of the year.

The survey has brought out some interesting points. Many of the cities under 10,000 in population do not have a professional planning staff. The same goes for those cities located on the developing edge, or “fringe”. The majority said the reason for not having a professional planning staff is lack of funding.

Most municipalities throughout State said that growth in the last three years has been at a medium or high rate. The municipalities that most frequently noted a high growth rate are smaller cities (under 10,000 pop), those located on the “fringe”, and include Wasatch Front and non-Wasatch Front cities. Municipalities that most frequently noted a low growth rate are smaller (under 10,000 pop.), those located in rural areas, and include Wasatch Front and non-Wasatch Front cities.

The majority of annexations throughout the State are undeveloped property with definite plans for development.

The municipalities that said less than 10% of the area of their cities is available for infill are medium (10,000 to 35,000 pop.) and large cities (over 35,000 pop), urban and suburban, and those located on the Wasatch Front. The municipalities that have a greater percentage of their cities available for infill are smaller (under 10,000 pop.), fringe and rural, and those which are non-Wasatch Front cities.



The Utah League of Cities & Towns and the Utah Association of Counties in concert with the Quality Growth Commission created surveys to collect information on how cities and counties currently handle growth.



When comparing less-than-1/2 acre lots to 1/2 acre or greater size lots, cities with the highest ratio of less-than-1/2 acre lots are larger cities(over 35,00 pop), those which are urban, and those along the Wasatch Front. Cities with the highest ratio of 1/2 acre or greater lots are smaller cities(under 10,000), those which are rural, and those which are not along the Wasatch Front.

When comparing the zoning of single family units to multifamily units, cities with the highest ratio of single family zoning are smaller cities (under 10,000), those located on the fringe, and those which are on the Wasatch Front. Cities with the highest ratio of multifamily zoning are larger cities(over 35,000), those which are urban, and those which are not along the Wasatch Front.

The last item on the survey was an open-ended question: “What would be your definition of quality growth?” The answers were placed into different categories. The majority of the respondents agreed that quality growth includes that which gives a sense of community and identity, ensures adequate public services, preserves the environment, and uses land and resources efficiently.

### **County Survey**

The County Survey was also distributed to those officials which handle planning and growth issues on a day-to-day basis. Because of distinct demographic, employment, and infrastructure differences between Wasatch Front counties and non-Wasatch Front counties, the preliminary results were divided in the Wasatch Front area and the Non-Wasatch Front area. The survey was sent to all twenty-nine counties in the State. Twelve Counties (41%) have responded thus far and are summarized in the “UAC Draft County Survey Results”.

When asked if the county has an open space master plan, 50% of the Wasatch Front counties and 25% of the non-Wasatch Front counties reported yes. One hundred percent of the Wasatch Front counties reported having a transportation plan, while 50% of the non-Wasatch Front counties reported having one.

By far, the majority of the counties require developers to install infrastructure to new development.

One of the highlighted aspects of the survey was the question if counties encourage annexation into municipalities. Sixty-seven percent of the Wasatch Front Counties said they encourage annexation into municipalities. Forty-three percent of the Non-Wasatch Front Counties said they encourage annexation into municipalities.

All counties reported having adopted a general plan.

## RELATIONSHIP BETWEEN THE QUALITY GROWTH COMMISSION AND ENVISION UTAH

Understanding the similarities and differences of Quality Growth Commission and Envision Utah illuminates the extent of coordination, as well as the independent activities of each entity. Keeping the work of both entities complementary and productive is an ongoing challenge for the coming year.

### Quality Growth Commission

The Quality Growth Commission was established to advise and recommend to the Legislature principles of quality growth and implementation policies. The membership of the Commission was appointed by the Governor and approved by the Senate in April 1999, and includes representatives from state government, local elected officials, the Utah Home Builders Association, the Utah Association of Realtors, the agricultural community and the private/non-profit sector. The Commission has participated in the funding of several planning activities, held public meetings around the State, and begun the process of making legislative recommendations regarding quality growth. The Commission is staffed primarily by the Governor's Office of Planning and Budget with contracted assistance from the Utah League of Cities and Towns, and the Utah Association of Counties.

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Related through common goals and ideals, Envision Utah and the Quality Growth Commission also have significant differences that separates their scope of work.



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on Utah is a public/private community partnership dedicated to studying the effects of long-term growth in the 10-county Greater Wasatch Area of northern Utah which stretches from Nephi to Brigham City and Grantsville to Kamas. The partnership was formed in 1997 and the membership includes over 100 partners from the business, academic, conservation, local and state government, and religious communities. Its purpose is to create and be an advocate for a publicly supported growth strategy that will preserve Utah's high quality of life, natural environment, and economic vitality. During the past three years, Envision Utah has directed many activities, including an in-depth values study, baseline analysis, over 100 public workshops, scenario development and analysis, a million dollar public awareness campaign, and the development and analysis of a quality growth strategy. Envision Utah has its own staff and operates mostly with private funds and no direct state financing. Much of its technical work has been prepared by a state/local technical committee coordinated by the Governor's Office of Planning and Budget.

### Similarities

The similarities between The Quality Growth Commission and Envision Utah include:

- A dedication to preserving and enhancing the quality of life present in Utah;
- Devotion to involving the public in decisions about future planning;
- Membership overlap: six of the Commission's 13 members are partners in Envision Utah;
- Technical staff of each is coordinated by the Governor's Office of Planning and Budget;
- Both entities have joined to fund six local quality growth demonstration projects.

## **Differences**

The important differences that distinguish the two entities include:

- They are administrated separately;
- They are entirely independent of one another;
- Envision Utah's focus is the 10-county Greater Wasatch Area of northern Utah;
- Quality Growth Commission's focus is statewide;
- Envision Utah is seeking to create a broad, regional vision;
- Quality Growth Commission is required to make policy recommendations;
- Envision has no governmental authority and can only advocate and educate;
- The Commission has complete independence to form an independent vision;
- Envision Utah has worked on growth planning for 2 ½ years longer than the Commission;
- The Commission is just getting started on its work, but will progress faster because of the technical foundation of Envision Utah.

## **Future Coordination**

In the coming year, the work of both entities will continue to augment and complement one another. Envision Utah will lead a major public education campaign in January, taking their Quality Growth Strategy to the doorsteps of the entire Greater Wasatch Area. Currently, the Quality Growth Commission has not taken a formal position on Envision Utah's Quality Growth Strategy. However, the research supporting the Quality Growth Strategy is available to the Commission and may provide a technical overlap between both groups.

In the coming months, the Quality Growth Commission will spend a significant amount of time formulating quality growth principles. This work, in turn, instructs Envision Utah's efforts as their Quality Growth Strategy is unveiled and implementation steps are planned.

An ongoing challenge during the coming year will be to capitalize on the separate initiatives of these entities, while eliminating redundant tasks. It only stands to reason that the public will be better served if both entities move in a harmonious direction, pool financial resources, share technical work, and remain vigilant in promoting an attractive quality of life for Utah residents.

## ROLE OF THE STATE GOVERNMENT IN QUALITY GROWTH PLANNING

The Quality Growth Act of 1999 was passed because the Legislature recognized the challenges created by a growing economy and population and the ability of the State to positively impact current and future development. The concept of “local control over land use and development decisions, but with state leadership and coordination,” has been the fundamental, guiding theme of the Commission’s work. Staff has presented research to the Commission on five broad categories that are central to the role of the State in supporting quality growth.

### **Coordination and Leadership**

Coordination and leadership are viewed as critical in a complex environment consisting of 20 state agencies, 7 associations of government, 236 municipalities, 29 counties, and approximately 300 special districts. These political entities exist within a functional regional framework of airsheds, watersheds, commutersheds, and natural systems. It is a massive undertaking to help these entities work well together.

### **Information Provision and Technical Support**

State government possesses a wealth of data and technical expertise. It is inefficient for smaller entities to develop some types of technical sophistication and data. Consequently, state government fills a vital role in collecting and sharing information, and providing professional assistance. In terms of quality growth planning, for instance, the State collects, organizes, and analyzes data on land constraints, water supply, land uses, economic and demographic trends, air quality, transportation performance, fiscal impacts and other issues.

### **Infrastructure Investment**

Every time the State invests in highways, water resources, wastewater treatment projects, correctional facilities, higher education facilities, and other types of infrastructure it is shaping the type and location of growth. As an example, consider how past decisions about the location of Interstate 15, vis-a-vis U.S. 89, impacted the economies and land uses in central and southern Utah. Or, consider how government decisions about water development influence where population and agricultural activities can prosper. In fiscal year 2000 alone, state government spent \$955 million in transportation and water infrastructure. The state not only has a significant interest in making prudent financial investments, but in making sure these investments serve the broader interest of quality growth.

### **Public Finance**

The taxing and spending activities of state government significantly impact growth. Choices about how the State funds projects and how the State allocates local revenues impact the type and location of growth. For instance, using the sales tax to build highways is a significant public policy decision. Prior to the creation of the Centennial Highway Fund, gas taxes were the primary source of revenue for road construction. Now, 51% of the Centennial Highway Fund is paid for through the State’s general fund (primarily sales taxes). The use of sales taxes for road construction spreads the burden of constructing

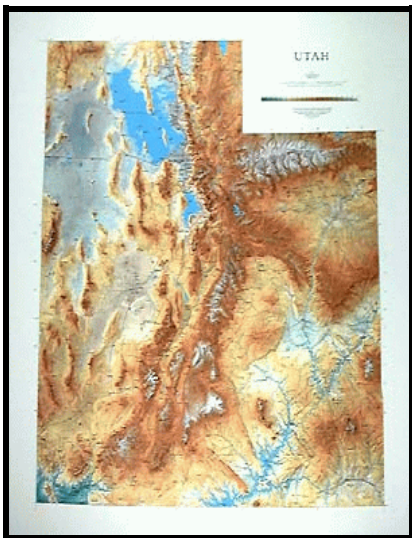
these roads broadly among all taxpayers. Gas taxes, on the other hand, direct the tax burden to those who drive the most. Each funding mechanism presents different incentives and illustrates the significance of budgetary decisions.

The distribution of local-option sales taxes is another example of the significance of state actions on quality growth. The point-of-sale portion of the distribution formula – which is 50% – places cities in a competitive situation for certain types of commercial development. For instance, from a strictly revenue-based standpoint, local governments would sometimes prefer a car dealership to any other type of development. Again, the funding mechanism introduces different incentives and effects the type and location of development.

## **Regulation**

The State has an obligation to the public to appropriately regulate activities that impact the health and safety of residents. In the arena of quality growth, air and water quality are of particular importance. Here, the state's role is to efficiently monitor air and water quality, and take regulator action when necessary.

## **Quality Growth Commission**



The concept of "local control over land use and development decisions, but with state leadership and coordination," is the fundamental, guiding theme of the Commission's work.

The Commission has not formally agreed upon the precise role of the State in quality growth planning. The Commission has, however, considered how to define quality growth. They view it as a balance between the protection of natural systems and the development necessary to support growth. (See Vision Statement.) The Commission's inquiry into the role of the State has benefitted from the foundation established by prior quality growth planning activities such as the Growth Summit, Critical Lands Committee, and Envision Utah. Surveys related to public perceptions about growth and the State's role have also been considered, as have the Governor's leadership and the importance of the market. The Commission is comfortable characterizing the role of the State as a coordinator, leader, policy maker, technical resource, investor, and regulator. The more specific underpinnings of the State's role will emerge as the Commission continues to define the principles of quality growth during the coming year.

## OTHER STATE'S EFFORTS IN GROWTH MANAGEMENT

When state government considers major legislative changes, it is often helpful to place one's efforts in the context of other states. A cursory overview of other state government's attempts at growth management legislation is presented here.

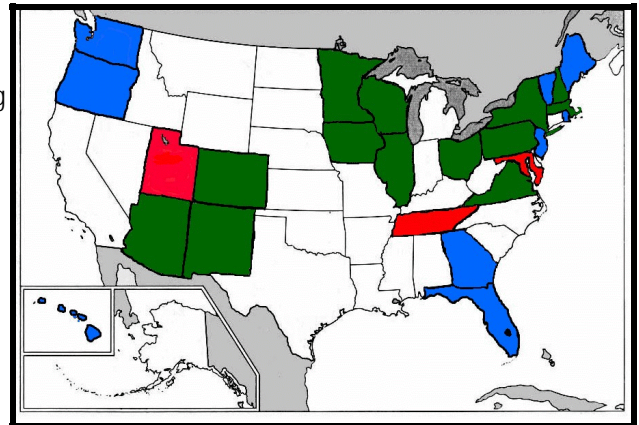
State growth management legislation covers a wide range of philosophies, styles and approaches. Some states mandate all components of their act while others create incentives to achieve the legislative intent. Most states, however, use both "carrots and sticks" to implement growth management policy. The choice of the method used to implement policy naturally depends on the desired outcome, the problem being addressed, and the political climate surrounding the issue.

There are currently 24 states with some type of growth management legislation. Some states have been implementing their legislation for over 25 years while others, like Utah, are in the early stages of researching and understanding the complex nature of growth management.

The Quality Growth Commission's staff researched other states' efforts in growth management and presented the Commission with the results in August, 1999. Below is a list of themes and issues that were present in all cases studied.

The following items were present in each successful state planning effort:

- |                    |                      |
|--------------------|----------------------|
| # Concurrency      | # Consistency        |
| # Funding          | # Agency Involvement |
| # State Commission | # Governor Support   |



**State Commission:** In every case, the state legislature and/or governor appointed an advising body to study the issues and make policy recommendations to the legislature. These commissions all started by receiving public input, through a variety of methods, and then drafting goals or guiding principles. Subsequent implementation plans followed those goals and principles.

**Concurrency:** Concurrency is the requirement that critical infrastructure be in place prior to approving development permits. It is intended to prevent the degradation of service levels, or capacity, in government provided infrastructure and services, such as sewer, water, roads, schools, and public safety, to name a few. Some states were more stringent on concurrency requirements than others. Whether concurrency was mandated or encouraged through incentives, it was addressed and became a critical tenet in the success of their implementation efforts.

**Consistency:** Consistency in growth management legislation refers to land planning documents between adjacent jurisdictions and levels of government being compatible with each other. Consistency in transportation planning, for example, would ensure that a new road expansion project is beneficial to and preferred by the state department of transportation and all the local governments through which the road traversed. Like concurrency, some states require it, others encourage it, and some have used it as an incentive tool. (See state agency involvement)

**State Agency Involvement:** State agencies play a major role in where and how land becomes developed. Any growth management legislation must recognize this fact and incorporate agency involvement to achieve legislative intent. In a few cases nationwide, agency involvement was used as an incentive to incorporate local government in state planning; local governments cooperating with state growth principles received additional review authority over state development projects (most often roads projects).

**Governor Support:** In no case was growth management legislation successful where the state's governor did not support it.

**Funding:** In most cases significant financial resources supported the implementation of the legislation. The sources of the funding were only limited to one's imagination, however, general appropriations were present in some form. Incentives held an inverse relationship to funding; the more incentives were used, the less funding was used to implement the legislation (and vice versa).



## CONCLUSIONS AND RECOMMENDATIONS

### Conclusions

The Quality Growth Commission has not had enough time to complete the full range of duties the Legislature has asked of it during the seven months they have been together. Indeed, the Commission, faithful to its name, thinks that quality recommendations of principles and implementation strategies requires quality analysis and sufficient time.

The Commission has taken their legislative responsibilities seriously. Launching six major initiatives, involving people from all corners of the state, and collectively spending over 2,000 hours of unpaid time in a 7 month period is evidence to this fact. These initiatives include:

- ▶ Planning Grants: \$194,000 was granted to 21 communities statewide to help fund their own efforts in determining local principles of quality growth.
- ▶ Land Preservation: The Commission has made a preliminary allocation of over \$2 million from the LeRay McAllister Critical Land Conservation Fund for the preservation of 5,708 acres of agricultural land and 341 acres of open space.
- ▶ Local Government Survey: In conjunction with the Utah Association of Counties and the Utah League of Cities and Towns, the Commission surveyed local governments throughout the State regarding growth issues.
- ▶ Ad Hoc Committees: The Commission established five committees, consisting of Commission members and outside experts, to analyze research on growth issues related to Critical Land Conservation, Free Market, Housing, Infrastructure, and Intergovernmental Relations.
- ▶ Outreach Program: The Commission is in the process of visiting every county to conduct focus group discussions with elected officials, tour the county, and hold “town meetings” on growth related issues.
- ▶ Research: The Commission receives reports from research conducted by staff and a variety of interest groups on growth issues.

The legislative intent language of the Act states the Commission shall “formulate quality growth principles.” To date, the input from the Commission’s initiatives listed above is still being collected, compiled, and assimilated, so that the Commission can fully understand the depth, breadth, and complexity of Utah’s growth management issues. The Commission thinks that suggesting quality growth principles in this report would be premature. The Commission expects to present its recommendations for Utah’s principles of quality growth for the Legislature to consider during the 2000 General Session.

Once the principles of quality growth have been determined, additional work will need to be done to develop recommendations for the implementation of the principles. Although the Commission has begun preliminary work on this, the year 2000 will be spent analyzing, in extensive detail, an array of potential techniques, policies, and incentives to implement these principles. The Commission, with the approval of the Legislature and the Governor, would like to continue its valuable work. This work can be greatly assisted through grants to local governments, as was done this year.

It is evident that the need for critical land conservation funds far exceeds the amount available and the

Commission would like to see a new appropriation for the Fund. In addition, the Commission would like to ask the Legislature to clarify an apparent conflict in existing law regarding land or conservation easements purchased with state funds.

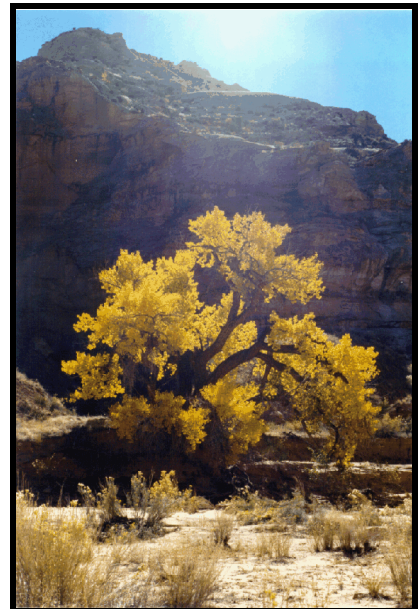
## **Recommendations**

The Commission needs to complete the work they started as well as conduct a number of research projects they have identified as critical. Information from each county and the 21 pilot projects must be compiled and analyzed. A statewide survey on the principles of quality growth needs to be completed. This information will help form the principles of quality growth. These principles will then need to be scrutinized under the microscope of policy and fiscal analysis. The Commission intends to present it's recommendations for quality growth principles to the Governor and the Legislature for adoption during the 2000 General Session.

The Quality Growth Commission, with the approval of the Governor and the Legislature, would like to continue its work during the next fiscal year and present recommendations for additional legislation by the 2001 General Session. In order to accomplish this, the Commission recommends that the Legislature enable them to continue this valuable work through an appropriation of funds for fiscal year 2001.

### The Commission submits following recommendations:

- ★ Pass legislation during the 2000 General Session to establish the principles of quality growth.
- ★ Extend the time for the Commission to make recommendations for implementation of the principles of quality growth and other matters in the legislative intent language of the Act to November of 2000.
- ★ Appropriate money for the continuation of the planning grant program in Fiscal Year 2001.
- ★ Appropriate additional money to the LeRay McAllister Critical Land Conservation Fund in Fiscal Year 2001.
- ★ Clarify the conflict in existing legislation regarding the entities that may hold a conservation easement purchased with state funds.



## APPENDIX A

### **QUALITY GROWTH ACT OF 1999 SUMMARY HB119**

Due to rapid growth of population and housing in Utah, particularly within the greater Wasatch area<sup>1</sup>, the increased costs of providing infrastructure to a growing population, and the disappearance of farm land and open space, the Governor and the Legislature passed and signed the "Quality Growth Act of 1999." This legislation creates new opportunities for local governments seeking to preserve open lands. The Act supports critical land conservation, home ownership, housing availability, efficient development of infrastructure and efficient use of land. The act applies to cities and counties on a purely voluntary basis, and mandates nothing.

#### **Quality Growth Commission**

The Quality Growth Commission has thirteen members who are appointed by the Governor and approved by the Senate. Staff services for the Commission are provided by the Governor's Office of Planning and Budget, and partially by local entities through the Utah Association of Counties and the Utah League of Cities and Towns. Membership of the Commission consists of:

- Two persons at the state government level, one of whom must be from the Department of Natural Resources.
- Six elected officials at the local level, three of whom must be nominated by the Utah Association of Counties and three of whom must be nominated by the Utah League of Cities and Towns.
- One person nominated by the Utah Home Builders Association.
- One person nominated by the Utah Association of Realtors.
- Two persons from the agricultural community, nominated by Utah farm organizations.
- One person selected from the private profit or nonprofit sector.

Commission members are appointed to four year terms, with a limit of two consecutive terms of service. Positions on the Commission are unpaid.

#### **Commission Duties and Powers**

Though the Commission holds no regulatory authority, it does have certain duties and powers that enable it to aid local government in their efforts to manage growth, and protect open lands. These duties include:

- Advise the Legislature on growth management issues.
- Make recommendations to the legislature for future quality growth laws.
- Conduct a review in the year 2002 and each subsequent year to determine statewide progress on planning issues, and report to the legislature.
- Administer the LeRay McAllister Critical Land Conservation Fund (described on the following page).

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<sup>1</sup> The Greater Wasatch Area refers to the 10-county area that includes counties within and adjacent to the northern metropolitan areas.

- Assist local governments in their efforts to identify locally appropriate quality growth principles.
- Provide local government with grants for training, planning, public participation and to create and implement quality growth initiatives (\$250,000 was appropriated for this purpose).
- Complete the additional tasks assigned by the legislature (see below) and report to the Political Subdivisions Interim Committee by November 30, 1999.

### **LeRay McAllister Critical Land Conservation Fund**

The LeRay McAllister Critical Land Conservation Fund will be administered by the Commission, and is available to local governments, the Department of Natural Resources, the Department of Agriculture and Food and a charitable organization that qualifies as tax exempt under Section 501 (c)(3) of the Internal Revenue Code. All loan and grant recipients must provide matching funds equal or greater than the amount of money received from the fund. Money in the fund will be used for:

- Purchase of conservation easements to preserve or restore open lands and agricultural lands. All easements must be held by a state or local government entity.
- Fee interest purchases of real property to preserve open land and agricultural land, provided the parcel is less than 20 acres in size. In counties where 50% or more of the total land mass is publicly owned, a parcel of similar size must be transferred from public to private ownership.

The Commission will prioritize applications by the nature, amount, quality and cost effectiveness of the open space or agricultural land to be preserved. Additional consideration will be given to applicants with a plan stating the effects of the project on housing affordability and private property rights. Money for the fund will come from various sources including:

- Legislative appropriations (\$2,750,000 was appropriated for FY 1999-2000)
- Absorption of the existing LeRay McAllister Revolving Loan Fund (\$130,000)
- Contributions from federal agencies, political subdivisions of the state, persons, or corporations
- Funds from the State Building Energy Efficiency Program. This will be created by executive order from the Governor (see below)
- State proceeds from a one-time refund from an electrical service provider (estimated to be \$1,000,000)
- Proceeds from the sale of surplus lands by the Department of Natural Resources, Department of Agriculture and Food and the Department of Transportation.

The total amount of money in the fund may not exceed \$6 million.

### **State Building Energy Efficiency Program**

State government spends nearly \$30,000,000 each year on energy for state-owned facilities. The Act gives the governor the ability through executive order to create the State Building Energy Efficiency Program, which could realize up to \$10,700,000 in savings each year. Advantages of the program include:

- Critical Land Preservation is funded through savings not taxes or budget cuts.
- State agencies keep 50% of net savings achieved by implementing energy efficiency measures,

with the remaining 50% added to the Critical Land Conservation Fund.

- Program can be implemented using existing state personnel and resources with little additional costs to the state.
- Performance-based program whose objectives are measurable.

To ensure that the program is being implemented and operating properly, the Act requires that the person or agency overseeing the program submit a report annually to the Capitol Facilities and Administrative Services Appropriations Committee of the Legislature.

### **Additional Responsibilities of the Commission**

Additional responsibilities for the Commission were expressed by intent language in the Act. These responsibilities are to study and report to the Political Subdivisions Interim Committee by November 30, 1999. Regarding:

- Formulation of quality growth principles based upon input from local government representatives.
- Development of draft legislation to implement quality growth principles.
- Recommendation of possible changes to the legislature in funding sources for the Conservation Fund.
- Development of criteria and standards for distribution of money from fund.
- Review of 20 acre parcel limit, and recommendations for whether or not it should be changed.
- Recommendations for whether the money in the fund should be used to aid in implementation of quality growth principles.

### **Intent Language**

Essential to the long term success of the Act, and growth management in Utah, is the creation of Quality Growth Areas. The Commission will play a vital role in the creation of these areas. The Act states that it is the intent of the legislature to establish Quality Growth Areas based upon recommendations from the Commission. When creating criteria for these areas, it is the intention of the Legislature that the Commission consider:

- Whether the area should have, or has adequate existing infrastructure, or access to additional infrastructure.
- Whether affordable housing should be integrated into the area.
- The area's potential for infill development.
- If the area has potential for the rehabilitation of Brownfield areas or dilapidated areas.
- Whether new development in the area should achieve a density that is greater than the average existing density of the area.
- Whether a local entity should integrate the conservation of open land and agricultural land into the area.

Upon making recommendations to the legislature it is intended by the Act that the Commission aid in drafting Quality Growth Area legislation which will:

- Require all state agencies, departments, and boards adhere to the newly established Quality

#### Growth Principles.

- Allow 50% of future increases in the state's private activity bond cap to be used for development that occurs in a Quality Growth Area.
- Make exceptions for rural communities so that they are not penalized for not having Quality Growth Areas.
- Ensure the rights of private property owners.
- Ensure that there is no net loss of private property in the state.
- Ensure local control over land use and development decisions but with state coordination and leadership.
- Encourage cooperation between local entities and other providers of public services.
- Encourage development in urban areas where adequate public facilities and services already exist.
- Eliminate barriers to quality growth in state statute.

## APPENDIX B

The Quality Growth Act of 1999 requires that the Commission address the following 16 issues when formulating quality growth principles for the Legislature to consider:

- (a) How to ensure that the rights of private property owners are protected.
- (b) How to implement the policy of no net decrease in the quantity or value of private real property available to generate property tax revenues, while recognizing that at times some additional public land will be needed and at other times public land that is not critical can be sold, exchanged, or converted to private ownership to accommodate growth and development.
- (c) How to implement the concept of local control over land use and development decisions but with state leadership and coordination.
- (d) How to implement a balance of free market and public sector planning solutions to growth management problems.
- (e) Whether to preserve or restore agricultural land and open land and, if so, how.
- (f) Whether to encourage infill development and the development of brownfield sites and if so, how.
- (g) Whether to provide affordable housing for all economic segments of the state and, if so, how.
- (h) Whether to encourage a mix of residential densities and housing types and, if so, how.
- (i) Whether to encourage the preservation or enhancement of existing housing stock and, if so, how.
- (j) How to encourage voluntary cooperation among local entities and other providers of public services.
- (k) How to encourage voluntary partnerships with the private sector.
- (l) What governmental actions affect the free market system and the measures that should be taken to minimize that effect.
- (m) Whether to encourage development in urban areas where adequate public facilities and services already exist and, if so, how.
- (n) Whether quality growth areas should be located exclusively or primarily within municipalities.
- (o) Whether development should be encouraged within municipalities.
- (p) Whether barriers to quality growth exist in state statutes.



## APPENDIX C

### Summary of Planing Grants To Local Governments

| <b>Applicant</b>      | <b>Project</b>  | <b>Award</b>     | <b>Part A/B</b> | <b>Due Date</b> |
|-----------------------|---|------------------|-----------------|-----------------|
| Alpine/ Highland      | Study on open space design and quality growth principles            | \$4,000          | A               | 11/15           |
| Bluffdale             | Master Plan for a Quality Growth Demonstration Area                 | \$15,000         | B               | 5/00            |
| Brigham/Perry         | EU/Calthorpe design workshop  | \$10,000         | A               | 11/15           |
| Cache/ Logan          | Quality growth principles survey                                    | \$10,000         | A               | 10/15           |
| Cedar Hills           | Master Plan for a Quality Growth Demonstration Area                 | \$7,000          | B               | 12/00           |
| Centerville City      | EU/Calthorpe design workshop  | \$10,000         | A               | 12/01           |
| Davis County          | Quality growth survey   | \$5,000          | A               | 3/00            |
| Garfield County       | Quality growth surveys and open houses.                             | \$7,000          | A               | 10/15           |
| Layton                | Create visual and conduct public workshops                          | \$10,000         | A               | 12/01           |
| Nephi City            | Implementing principles via economic modeling and incentives        | \$6,000          | B               | 06/00           |
| Provo City            | EU/Calthorpe design workshop downtown infill                        | \$10,000         | A               | 12/01           |
| Richmond City         | Plan and design a Quality Growth Demonstration Area                 | \$15,000         | B               | 04/00           |
| Riverton City         | Design preference surveys   | \$10,000         | A               | 12/01           |
| Salt Lake City        | Design of West Temple Gateway area                                  | \$5,000          | B               | 03/00           |
| Salt Lake City        | P.Calthorpe to design Block 37                                      | \$5,000          | A               | 12/01           |
| Sandy/ Midvale Cities | EU/Calthorpe design workshop. Transit oriented design               | \$10,000         | A               | 12/15           |
| Sanpete County        | Implementing principles via economic modeling and incentives        | \$8,000          | B               | 06/00           |
| South Salt Lake       | Community input on site specific transit oriented development       | \$10,000         | A               | 12/01           |
| Springdale            | Open houses and public hearings on quality growth                   | \$10,000         | A               | 12/01           |
| Tooele                | Tooele Valley regional Quality Growth planning policies             | \$9,500          | A               | 10/15           |
| West Jordan           | W.J quality planning  | \$7,500          | A               | 10/15           |
| West Valley           | EU/Calthorpe design workshop. Jordan R. Neighborhood Revitalization | \$10,000         | A               | 11/15           |
| <b>Total Awarded</b>  |   | <b>\$194,000</b> |                 |                 |

## APPENDIX D

### AD Hoc Committees

| Ad Hoc Committee            | Membership   | QGA Subsection (5) Factors   |
|-----------------------------|--|--|
| Critical Land Conservation  | <u>Commission Members:</u><br>David Allen, Shauna Kerr, Leland Hogan, Dan Lofgren, Cary Peterson<br><u>Others:</u><br>Hank Hemingway, Hemingway Enterprises<br>Kim Christy, Utah Farm Bureau<br>John Kimball, Division of Wildlife Resources<br>David Livermore, The Nature Conservancy<br>Doug Wheelwright, Salt Lake City Planning<br><u>Staff Assignment:</u><br>Mark Bedel, Ray Milliner | (b) how to implement the policy of no net decrease in the quantity or value of private real property available to generate property tax revenues, while recognizing that at times some additional public land will be needed and at other times public land that is not critical can be sold, exchanged, or converted to private ownership to accommodate growth and development.<br>(e) whether to preserve or restore agricultural land and open land and, if so, how.                         |
| Intergovernmental Relations | <u>Commission Members:</u><br>Carol Page, Kathleen Clark, Gary Herbert<br><u>Others:</u><br>Ann Hardy, UACIR<br>Patrick Cone, Commissioner Summit County<br>Ken Bassett, UACIR<br>Darryl Cook, Mountainlands AOG<br>Wilf Summerkorn, Davis County<br><u>Staff Assignment:</u><br>Ray Milliner  | (c) how to implement the concept of local control over land use and development decisions but with state leadership and coordination.<br>(J) how to encourage voluntary cooperation among local entities and other providers of public services.<br>(n) whether quality growth areas should be located exclusively or primarily within municipalities.<br>(o) whether development should be encouraged within municipalities.<br>(p) whether barriers to quality growth exist in state statutes. |
| Housing                     | <u>Commission Members:</u><br>Lewis Billings, Max Thompson<br><u>Others:</u><br>Phyllis Robinson, President, Utah Housing Coalition<br>Dave Galvan, Broker, Proactive Properties<br>DJ Baxter, Scenarios Coordinator, Envision Utah<br>Richard Walker Division of Community Development<br>Terri Payne, Planner<br><u>Staff Assignment:</u><br>Mark Bedel                                    | (g) whether to provide affordable housing for all economic segments of the state and, if so, how.<br>(h) whether to encourage a mix of residential densities and housing types and, if so, how.<br>(i) whether to encourage the preservation or enhancement of existing housing stock and, if so, how.   |

| Ad Hoc Committee | Membership   | QGA Subsection (5) Factors   |
|------------------|--|--|
| Infrastructure   | <u>Commission Members:</u><br>Kathleen Clarke, Cary Peterson,<br>Carlton Christensen<br><u>Others:</u><br>Les Prawl, DCED<br>Gary Uresk, Woods Cross City<br>Representatives from the Water<br>Development Commission,<br>Transportation Commission,<br>Mountainlands AOG, WFRC<br><u>Staff Assignment:</u><br>Mike Crane, Scott Frisby, | (f) whether to encourage infill development and the development of Brownfield sites and, if so, how.<br>(m) whether to encourage development in urban areas where adequate public facilities and services already exist and, if so, how.<br>(n) whether quality growth areas should be located exclusively or primarily within municipalities.   |
| Free Market      | <u>Commission Members:</u><br>Lee Allen, Dee Alsop<br><u>Others:</u><br>Governor's Council of Economic<br>Advisors<br><u>Staff Assignment:</u><br>Natalie Gochnour, Scott Frisby   | (a) how to ensure that the rights of private property owners are protected.<br>(d) how to implement a balance of free market and public sector planning solutions to growth management problems.<br>(k) how to encourage voluntary partnerships with the private sector.<br>(l) what governmental actions affect the free market system and the measures that should be taken to minimize that effect. |

## APPENDIX E

### Summary of LeRay McAllister Critical Land Conservation Fund Applications

| Project                 | Location          | Acreage/Category                     | Allocation         |
|-------------------------|-------------------|--------------------------------------|--------------------|
| Peaceful Valley Ranch   | Morgan County     | 5,510 Agricultural                   | \$750,000          |
| Virgin River Confluence | Washington County | 120 Open Land                        | \$500,000          |
| Curtis Jones Farm       | San Juan County   | 159 Agricultural                     | \$347,550          |
| Grafton Town            | Washington County | 221 Open land                        | \$250,000          |
| Black Agriland          | Davis County      | 39.4 Agricultural                    | \$172,000          |
| <b>Total</b>            |                   | 5708.4 Agricultural<br>341 Open Land | <b>\$2,019,550</b> |

(Note: Some projects with qualities of both agricultural and open lands have been categorized based upon which definition best defines the majority of the project)

"Open land" means land that is preserved in or restored to a predominantly natural, open, and undeveloped condition; and used for:

- Wildlife habitat
- Cultural or recreational use
- Watershed protection
- Another use consistent with the preservation of the land in or restoration of the Land to a predominantly natural, open, and undeveloped condition.

"Open land" does not include land whose predominant use is as a developed facility for active recreational activities, including baseball, tennis, soccer, golf, or other sporting or similar activity.

The condition of land does not change from a natural, open, and undeveloped condition because of the development or presence on the land of facilities, including trails, waterways, and grassy areas, that:

- Enhance the natural, scenic, or aesthetic qualities of the land; or
- Facilitate the public's access to or use of the land for the enjoyment of its natural, scenic, or aesthetic qualities and for compatible recreational activities.

"Agricultural Land" means land devoted to the raising of useful plants and animals with a reasonable expectation of profit, including:

- Forages and sod crops
- Grains and feed crops
- Livestock
- Trees and fruits
- Vegetables, nursery, floral, and ornamental stock
- Land devoted to and meeting the requirements and qualifications for payments or other compensation under a crop-land retirement program with an agency of the state or federal government

APPENDIX F  
Quality Growth Outreach Meetings Schedule

| <u>County</u>     | <u>Commissioner</u>     | <u>Date</u> | <u>Staff</u>         |
|-------------------|-------------------------|-------------|----------------------|
| Beaver County     | Max D. Thompson         | 12/01       | Ken Sizemore         |
| Box Elder County  | Lee Allen               | 10/12       | Mike Crane           |
| Cache County      | Shauna Kerr             | 11/22       | Wilf Sommerkorn      |
| Carbon County     | Carlton Christensen     | TBA         | Mike Crane           |
| Daggett County    | David Allen             | TBA         | Ray Milliner         |
| Davis County      | Carol Page              | 10/25       | Sommerkorn and Uresk |
| Duchesne County   | David Allen             | 11/29       | Gary Uresk           |
| Emery County      | Carlton Christensen     | 12/16       | Rosann Filmore       |
| Garfield County   | Kathleen Clarke         | 10/06       | Mke Crane            |
| Grand County      | Shauna Kerr             | 10/14       | Mike Crane           |
| Iron County       | Gary Herbert            | TBA         | Kirt Hutchins        |
| Juab County       | Cary Peterson           | 10/26       | Mike Crane           |
| Kane County       | Kathleen Clarke         | 10/07       | Mike Crane           |
| Millard County    | Lewis Billings          | 10/21       | Mike Crane           |
| Morgan County     | Max D. Thompson         | TBA         | Andrea Olson         |
| Piute County      | Leland J. Hogan         | TBA         | Mike Crane           |
| Rich County       | Lee Allen               | 10/20       | Jay Aguilar          |
| Salt Lake County  | Dee Allsop              | 12/15       | Andrea Olson         |
| San Juan County   | Shauna Kerr             | 10/15       | Mike Crane           |
| Sanpete County    | Cary Peterson           | 10/27       | Mike Crane           |
| Sevier County     | Leland J. Hogan         | 12/15       | Gary Uresk           |
| Summitt County    | Dan Lofgren             | TBA         | Ray Milliner         |
| Tooele County     | Leland Hogan            | TBA         | Andrea Olson         |
| Uintah County     | David Allen             | 11/30       | Gary Uresk           |
| Utah County       | Gary Herbert            | 11/30       | Darrell Cook         |
| Wasatch County    | Lewis Billings          | 11/10       | Richard Secrest      |
| Washington County | Dan Lofgren             | 11/30       | John Willey          |
| Wayne County      | Cary Peterson           | 10/28       | Mike Crane           |
| Weber County      | Carol Page & Dee Allsop | TBA         | Sommerkorn and Uresk |

# APPENDIX G

## BUDGET

| Quality Growth Commission                           |  |  |  |  |                  |
|---|--|--|--|--|------------------|
| FY 2000 Budget                                      |  |  |  |  |                  |
|   |  |  |  |  |                  |
| <b>Appropriation</b>                                |  |  |  |  | <b>\$250,000</b> |
|   |  |  |  |  |                  |
| <b>Expenses</b>                                     |  |  |  |  |                  |
| Administrative Cost (GOPB)                          |  |  |  |  | \$19,000         |
| Contract Services (UAC and ULCT)                    |  |  |  |  | \$20,000         |
| Travel  |  |  |  |  | \$6,000          |
| Current Expense (copying, printing, supplies, etc.) |  |  |  |  | \$1,000          |
| <b>Total Expenses</b>                               |  |  |  |  | <b>\$46,000</b>  |
|   |  |  |  |  |                  |
| Part A Grants                                       |  |  |  |  | \$138,000        |
| Part B Grants                                       |  |  |  |  | \$56,000         |
| Uncommitted for Planning Grants                     |  |  |  |  | \$8,000          |
| <b>Total for planning grants</b>                    |  |  |  |  | <b>\$202,000</b> |
|   |  |  |  |  |                  |
| <b>Contingency</b>                                  |  |  |  |  | <b>\$2,000</b>   |